

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DANIEL MARINO,
Plaintiff,

v.

USHER, et al.,
Defendants.

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Civ. No. 11-6811

ORDER

AND NOW, this 28th day of January, 2014, as stated during today's hearing, it is hereby **ORDERED** that:

1. Respondent Francis Malofiy's Findings of Fact and Conclusions of Law (Doc. No. 141) are **STRICKEN** without prejudice as premature.
2. Respondent shall inform the Court no later than **Friday, January 31, 2014**, at 5:00 p.m. whether he intends to introduce into the record his phone logs.
3. Moving Defendants no later than **Friday, February 28, 2014** at 5:00 p.m., shall submit their findings of fact and conclusions of law, and may submit any supplemental argument.

4. Respondent shall respond no later than **Friday, March 21, 2014**, at 5:00 p.m.

IT IS SO ORDERED

/s/ Paul S. Diamond

Paul S. Diamond, J.